



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

April 2, 2018

**By ECF and Email**

The Honorable Ronnie Abrams  
United States District Judge  
40 Foley Square  
New York, NY 10007

**Re: United States v. Jason Galanis, et al., S3 16 Cr. 371 (RA)**

Dear Judge Abrams:

The Government respectfully submits the parties' verdict forms. The Government's proposed verdict form is attached as Exhibit A, and the defendants' proposed verdict form is attached as Exhibit B.

Respectfully submitted,

**ROBERT KHUZAMI**  
Attorney for the United States, Acting Under  
Authority Conferred by 28 U.S.C. § 515

By: /s/ Negar Tekeei  
Rebecca Mermelstein/Brendan F. Quigley/  
Negar Tekeei  
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# **Exhibit A**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
UNITED STATES OF AMERICA, :  
 :  
 - v. - : S3 16 Cr. 371 (RA)  
 :  
 GARY HIRST, :  
 JOHN GALANIS, :  
 a/k/a "Yanni," :  
 MICHELLE MORTON, :  
 DEVON ARCHER, and :  
 BEVAN COONEY, :  
 :  
 Defendants. :  
-----X

Please indicate your verdicts with a check mark (✓):

**COUNT ONE**  
**(Conspiracy to Commit Securities Fraud)**

GARY HIRST:	Guilty _____	Not Guilty _____
JOHN GALANIS:	Guilty _____	Not Guilty _____
MICHELLE MORTON:	Guilty _____	Not Guilty _____
DEVON ARCHER:	Guilty _____	Not Guilty _____
BEVAN COONEY:	Guilty _____	Not Guilty _____

**COUNT TWO**  
**(Securities Fraud)**

GARY HIRST:                      Guilty \_\_\_\_\_                      Not Guilty \_\_\_\_\_

JOHN GALANIS:                      Guilty \_\_\_\_\_                      Not Guilty \_\_\_\_\_

MICHELLE MORTON:                      Guilty \_\_\_\_\_                      Not Guilty \_\_\_\_\_

DEVON ARCHER:                      Guilty \_\_\_\_\_                      Not Guilty \_\_\_\_\_

BEVAN COONEY:                      Guilty \_\_\_\_\_                      Not Guilty \_\_\_\_\_

**COUNT THREE**  
**(Conspiracy to Commit Investment Adviser Fraud)**

GARY HIRST:                      Guilty \_\_\_\_\_                      Not Guilty \_\_\_\_\_

MICHELLE MORTON:                      Guilty \_\_\_\_\_                      Not Guilty \_\_\_\_\_

**COUNT FOUR**  
**(Investment Adviser Fraud)**

GARY HIRST:                      Guilty \_\_\_\_\_                      Not Guilty \_\_\_\_\_

MICHELLE MORTON:                      Guilty \_\_\_\_\_                      Not Guilty \_\_\_\_\_

# **Exhibit B**

**Defense Proposed Verdict Form**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

v.

GARY HIRST,  
JOHN GALANIS, a/k/a “Yanni,”  
MICHELLE MORTON,  
DEVON ARCHER, and  
BEVAN COONEY,

Defendants.

No. S3 16 Cr. 371 (RA)

**PROPOSED VERDICT SHEET**

**Please indicate your verdicts with a check mark (✓)**

**EACH MEMBER OF THE JURY MUST AGREE ON EACH AND EVERY ITEM**

**COUNT ONE**

With respect to each of the defendants listed below, has the government proven beyond a reasonable doubt that the defendant you are considering committed the crime of conspiracy to commit securities fraud?

GARY HIRST:	_____ Not Guilty	_____ Guilty
JOHN GALANIS:	_____ Not Guilty	_____ Guilty
MICHELLE MORTON:	_____ Not Guilty	_____ Guilty
DEVON ARCHER:	_____ Not Guilty	_____ Guilty
BEVAN COONEY:	_____ Not Guilty	_____ Guilty

**COUNT TWO**

With respect to the defendant listed below, has the government proven beyond a reasonable doubt that the defendant you are considering committed the crime of securities fraud?

GARY HIRST:                    \_\_\_\_\_ Not Guilty                    \_\_\_\_\_ Guilty

If the jury's verdict is "Not Guilty," please move on to the next defendant. If the jury selected "Guilty," please answer the following additional questions.

1. Does the jury unanimously agree that there is proof beyond a reasonable doubt that Mr. Hirst committed securities fraud in connection with one of the four Wakpamni Lake Community Corporation bond issuances?                    \_\_\_\_\_ No                    \_\_\_\_\_ Yes

2. If the jury answered "yes," please list which one(s): \_\_\_\_\_

If the jury answered "no," you must go back and find Mr. Hirst not guilty of securities fraud, regardless of any other evidence.

3. With respect to each WLCC bond issuance listed by the jury in response to the previous question, has the government presented proof beyond a reasonable doubt that Mr. Hirst (a) committed a primary violation of securities fraud, (b) aided and abetted someone else's commission of securities fraud in connection with that issuance, or (c) neither?

\_\_\_\_\_  
\_\_\_\_\_

If the jury answered (c), you must go back and find Mr. Hirst not guilty of securities fraud with respect to that issuance, regardless of any other evidence.

**(Count Two, Continued)**

With respect to the defendant listed below, has the government proven beyond a reasonable doubt that the defendant you are considering committed the crime of securities fraud?

JOHN GALANIS:                    \_\_\_\_\_ Not Guilty                    \_\_\_\_\_ Guilty

If the jury's verdict is "Not Guilty," please move on to the next defendant. If the jury selected "Guilty," please answer the following additional questions.

1. Does the jury unanimously agree that there is proof beyond a reasonable doubt that Mr. Galanis committed securities fraud in connection with one of the four Wakpamni Lake Community Corporation bond issuances?                    \_\_\_\_\_ No                    \_\_\_\_\_ Yes

2. If the jury answered "yes," please list which one(s): \_\_\_\_\_

If the jury answered "no," you must go back and find Mr. Galanis not guilty of securities fraud, regardless of any other evidence.

3. With respect to each WLCC bond issuance listed by the jury in response to the previous question, has the government presented proof beyond a reasonable doubt that Mr. Galanis (a) committed a primary violation of securities fraud, (b) aided and abetted someone else's commission of securities fraud in connection with that issuance, or (c) neither?

\_\_\_\_\_  
\_\_\_\_\_

If the jury answered (c), you must go back and find Mr. Galanis not guilty of securities fraud with respect to that issuance, regardless of any other evidence.



**(Count Two, Continued)**

With respect to the defendant listed below, has the government proven beyond a reasonable doubt that the defendant you are considering committed the crime of securities fraud?

MICHELLE MORTON:      \_\_\_\_\_ Not Guilty                      \_\_\_\_\_ Guilty

If the jury's verdict is "Not Guilty," please move on to the next defendant. If the jury selected "Guilty," please answer the following additional questions.

1. Does the jury unanimously agree that there is proof beyond a reasonable doubt that Ms. Morton committed securities fraud in connection with one of the four Wakpamni Lake Community Corporation bond issuances?                      \_\_\_\_\_ No                      \_\_\_\_\_ Yes

2. If the jury answered "yes," please list which one(s): \_\_\_\_\_

If the jury answered "no," you must go back and find Ms. Morton not guilty of securities fraud, regardless of any other evidence.

3. With respect to each WLCC bond issuance listed by the jury in response to the previous question, has the government presented proof beyond a reasonable doubt that Ms. Morton (a) committed a primary violation of securities fraud, (b) aided and abetted someone else's commission of securities fraud in connection with that issuance, or (c) neither?

\_\_\_\_\_  
\_\_\_\_\_

If the jury answered (c), you must go back and find Ms. Morton not guilty of securities fraud with respect to that issuance, regardless of any other evidence.

**(Count Two, Continued)**

With respect to the defendant listed below, has the government proven beyond a reasonable doubt that the defendant you are considering committed the crime of securities fraud?

DEVON ARCHER:                    \_\_\_\_\_ Not Guilty                    \_\_\_\_\_ Guilty

If the jury's verdict is "Not Guilty," please move on to the next defendant. If the jury selected "Guilty," please answer the following additional questions.

1. Does the jury unanimously agree that there is proof beyond a reasonable doubt that Mr. Archer committed securities fraud in connection with one of the four Wakpamni Lake Community Corporation bond issuances?                    \_\_\_\_\_ No                    \_\_\_\_\_ Yes

2. If the jury answered "yes," please list which one(s): \_\_\_\_\_

If the jury answered "no," you must go back and find Mr. Archer not guilty of securities fraud, regardless of any other evidence.

3. With respect to each WLCC bond issuance listed by the jury in response to the previous question, has the government presented proof beyond a reasonable doubt that Mr. Archer (a) committed a primary violation of securities fraud, (b) aided and abetted someone else's commission of securities fraud in connection with that issuance, or (c) neither?

\_\_\_\_\_  
\_\_\_\_\_

If the jury answered (c), you must go back and find Mr. Archer not guilty of securities fraud with respect to that issuance, regardless of any other evidence.

**(Count Two, Continued)**

With respect to the defendant listed below, has the government proven beyond a reasonable doubt that the defendant you are considering committed the crime of securities fraud?

BEVAN COONEY:                    \_\_\_\_\_ Not Guilty                    \_\_\_\_\_ Guilty

If the jury's verdict is "Not Guilty," please move on to the next defendant. If the jury selected "Guilty," please answer the following additional questions.

1. Does the jury unanimously agree that there is proof beyond a reasonable doubt that Mr. Cooney committed securities fraud in connection with one of the four Wakpamni Lake Community Corporation bond issuances?                    \_\_\_\_\_ No                    \_\_\_\_\_ Yes

2. If the jury answered "yes," please list which one(s): \_\_\_\_\_

If the jury answered "no," you must go back and find Mr. Cooney not guilty of securities fraud, regardless of any other evidence.

3. With respect to each WLCC bond issuance listed by the jury in response to the previous question, has the government presented proof beyond a reasonable doubt that Mr. Cooney (a) committed a primary violation of securities fraud, (b) aided and abetted someone else's commission of securities fraud in connection with that issuance, or (c) neither?

\_\_\_\_\_  
\_\_\_\_\_

If the jury answered (c), you must go back and find Mr. Cooney not guilty of securities fraud with respect to that issuance, regardless of any other evidence.

**COUNT THREE**

With respect to each of the defendants listed below, has the government proven beyond a reasonable doubt that the defendant you are considering committed the crime of conspiracy to commit investment adviser fraud?

GARY HIRST:                    \_\_\_\_\_ Not Guilty                    \_\_\_\_\_ Guilty

MICHELLE MORTON:        \_\_\_\_\_ Not Guilty                    \_\_\_\_\_ Guilty

**COUNT FOUR**

With respect to the defendant listed below, has the government proven beyond a reasonable doubt that the defendant you are considering committed the crime of investment adviser fraud?

GARY HIRST:                    \_\_\_\_\_ Not Guilty                    \_\_\_\_\_ Guilty

If the jury's verdict is "Not Guilty," please move on to the next defendant. If the jury selected "Guilty," please answer the following additional questions.

1. Does the jury unanimously agree that there is proof beyond a reasonable doubt that Mr. Hirst committed investment adviser fraud in connection with one of the four Wakpamni Lake Community Corporation bond issuances?                    \_\_\_\_\_ No                    \_\_\_\_\_ Yes

2. If the jury answered "yes," please list which one(s): \_\_\_\_\_

If the jury answered "no," you must go back and find Mr. Hirst not guilty of investment adviser fraud, regardless of any other evidence.

3. With respect to each WLCC bond issuance listed by the jury in response to the previous question, has the government presented proof beyond a reasonable doubt that Mr. Hirst (a) committed a primary violation of investment adviser fraud, (b) aided and abetted someone else's commission of investment adviser fraud in connection with that issuance, or (c) neither?

\_\_\_\_\_

\_\_\_\_\_

If the jury answered (c), you must go back and find Mr. Hirst not guilty of investment adviser fraud with respect to that issuance, regardless of any other evidence.

**(Count Four, Continued)**

With respect to the defendant listed below, has the government proven beyond a reasonable doubt that the defendant you are considering committed the crime of investment adviser fraud?

MICHELLE MORTON:        \_\_\_\_\_ Not Guilty                                \_\_\_\_\_ Guilty

If the jury's verdict is "Not Guilty," please move on to the next defendant. If the jury selected "Guilty," please answer the following additional questions.

1. Does the jury unanimously agree that there is proof beyond a reasonable doubt that Ms. Morton committed investment adviser fraud in connection with one of the four Wakpamni Lake Community Corporation bond issuances?                                \_\_\_\_\_ No                                \_\_\_\_\_ Yes

2. If the jury answered "yes," please list which one(s): \_\_\_\_\_

If the jury answered "no," you must go back and find Ms. Morton not guilty of investment adviser fraud, regardless of any other evidence.

3. With respect to each WLCC bond issuance listed by the jury in response to the previous question, has the government presented proof beyond a reasonable doubt that Ms. Morton (a) committed a primary violation of investment adviser fraud, (b) aided and abetted someone else's commission of investment adviser fraud in connection with that issuance, or (c) neither?

\_\_\_\_\_

\_\_\_\_\_

If the jury answered (c), you must go back and find Ms. Morton not guilty of investment adviser fraud with respect to that issuance, regardless of any other evidence.